



Order Filed on November 27, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**Marie-Ann Greenberg MAG-1284
Chapter 13 Standing Trustee
30 TWO BRIDGES ROAD
SUITE 330
FAIRFIELD, NJ 07004-1550
973-227-2840**

IN RE:
RAFAEL B BATISTA

Case No.: 17-26893 VFP

Hearing Date: 11/16/2017

Judge: VINCENT F. PAPALIA

Debtor is Entitled To Discharge

ORDER CONFIRMING PLAN

The relief set forth on the following pages, numbered 2 through 2 is hereby **ORDERED**.

DATED: November 27, 2017



**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

Case No.: 17-26893 VFP

Caption of Order: ORDER CONFIRMING PLAN

The Plan of the Debtor having been proposed to creditors, and hearing having been held on the Confirmation of such Plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

- ORDERED, that the plan of the above named Debtor dated 8/21/2017, or as amended at the confirmation hearing is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the Debtor; and it is further
- ORDERED, that to the extent that the Debtor's plan contains motions to avoid judicial liens under 11 U.S.C. Section 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified herein:
- ORDERED, that commencing 9/1/2017, the Debtor shall pay the Standing Trustee
the sum of \$200.00 for a period of 60 month(s), which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586; and it is further
- ORDERED, that notwithstanding the preceding paragraph, in no event shall the unsecured creditors receive less than 100% of their timely filed claims; and it is further
- ORDERED, that Debtor must complete Loan Modification by 1/5/2018 or as extended through the courts Loss Mitigation Program. If loan modification not completed case will be dismissed upon certification of the Standing Trustee with 14 days notice to debtor(s) and debtor's attorney; and it is further
- ORDERED, that mortgage arrears are to be paid outside the plan through Loan Modification; and it is further
- ORDERED, that the Debtor's student loans are to be paid outside the plan; and it is further
- ORDERED, that the Debtor's attorney is allowed a fee of \$3,500.00. The unpaid balance of the allowed fee in the amount of \$2,000.00 shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee; and it is further
- ORDERED, that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any discharged; and it is further
- ORDERED, that upon expiration of the Deadline to File a Proof of Claim, the Chapter 13 Standing Trustee may submit an Amended Order Confirming Plan upon notice to the Debtor, Debtor's attorney and any other party filing a Notice of Appearance.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Rafael B Batista
Debtor

Case No. 17-26893-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 27, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 29, 2017.

db +Rafael B Batista, 284 N Tenth St, Prospect Park, NJ 07508-2010

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 29, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 27, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Wells Fargo Bank, N.A. as Trustee for Option One
Mortgage Loan Trust 2007-FXD1 Asset-Backed Certificates, Series 2007-FXD1
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Harvey I. Marcus on behalf of Debtor Rafael B Batista him@lawmarcus.com
Marie-Ann Greenberg magecf@magtrustee.com
Rebecca Ann Solarz on behalf of Creditor Wells Fargo Bank, N.A. as Trustee for Option One
Mortgage Loan Trust 2007-FXD1 Asset-Backed Certificates, Series 2007-FXD1 rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5